

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

FEB 18 2020

Clark, U.S. District Court
Texas Eastern

UNITED STATES OF AMERICA

v.

PETER XIE (01)

§
§
§
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§

No. 4:20-CR-

Judge

69
Jordan

ELEMENTS OF THE OFFENSE

Peter Xie, you are charged in a Two Count Information, filed in the Eastern District of Texas. Count One charges you with Negligent Attempt to Transport Wildlife with a False Label, in violation of 16 U.S.C. § 3372(d)(2). Count Two charges you with Attempted Trade in Violation of the Endangered Species Act, in violation of 16 U.S.C. § 1538(c)(1). The following are the essential elements of the respective offense that the government would be required to prove beyond a reasonable doubt before you could be convicted, but to which you must admit if your plea is to be accepted.

Count One: 16 U.S.C. § 3372(d)(2)

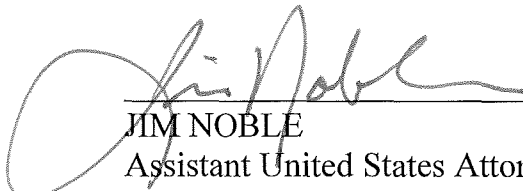
- First: That the defendant attempted to transport wildlife in foreign commerce;
- Second: That the defendant made or submitted a false label, record or identification of said wildlife; and
- Third: That the defendant, in the exercise of due care, should have known that making or submitting said false label, for the transport of wildlife in foreign commerce was a violation of the law.

Count Two: 16 U.S.C. § 1538(c)(1)

- First: That the defendant attempted to engage in international trade in specimens of wildlife;
- Second: That the wildlife in question was listed in an appendix to the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES); and
- Third: That the means of intended trade did not include valid documentation as required by CITES and Title 50 CFR, Section 23.12(a).

Respectfully submitted,

JOSEPH D. BROWN
United States Attorney



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Elements of the Offense has been served on counsel of record for defendant via electronic mail on this the 12th day of February, 2020.



JIM NOBLE
Assistant United States Attorney